



04/14/06

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David A. Cathey

Serial No.: 09/759,746

Filed: January 12, 2001

For: EMITTER

Confirmation No.: 9740

Examiner: A. Patel

Group Art Unit: 2879

Attorney Docket No.: 2269-5086.1US
(92-0466.04/US)

Notice of Allowance Mailed:

January 12, 2006

NOTICE OF EXPRESS MAILING

Express Mail Mailing Label Number: EV669813969US

Date of Deposit with USPS: April 12, 2006

Person making Deposit: Timothy Palfreyman

TRANSMITTAL LETTER

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant submits herewith Part B - Fee(s) Transmittal for the above-captioned application and a check in the amount of \$1,715.00 in payment therefor plus five (5) copies of the patent when issued.

Also, enclosed is an Amendment Pursuant to 37 C.F.R. § 1.312(a) (11 pages); Comments on Statement of Reasons for Allowance (2 pages); and Fee Addressee for Receipt of PTO Notices Relating to Maintenance Fees (2 pages).

Applicant understands that no additional fees are required. However, if the Office determines that any comparison fees or other additional fees are required, the Commissioner is authorized to charge any such fees to TraskBritt Deposit Account No. 20-1469. A copy of this Transmittal Letter is enclosed for deposit account charging purposes.

Respectfully submitted,



James R. Duzan
Registration No. 28,393
Attorney for Applicant(s)
TRASKBRITT
P.O. Box 2550
Salt Lake City, Utah 84110-2550
Telephone: 801-532-1922

Date: April 12, 2006

JRD/ps:lmh

Enclosures: Part B – Fee(s) Transmittal
Check No. 22743 in the amount of \$1,715.00
Copy of Transmittal Letter
Amendment Pursuant to 37 C.F.R. § 1.312(a) (11 pages)
Comments on Statement of Reasons for Allowance (2 pages)
Fee Addressee for Receipt of PTO Notices Relating to Maintenance Fees (2 pages)

Document in ProLaw



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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the Office Action mailed September 21, 2005, the Examiner indicated:

Claims 23 and 27-30 are in the condition for allowance since the specifically claimed feature of "concentration increasing" (claims 23 and 25) or the specifically claimed feature of "decreasing etch-resistible quality" (claim 27) are not disclosed or taught by any of the prior art references of the record.

In the Notice of Allowability mailed January 12, 2006, the Examiner indicated:

[W]ithdrawal of 35 USC 112, second paragraph rejection of claim 25 in view of its appropriate amendment. Claims 23 and 27-30 are already allowed in past office action. Claims 25 and 26 are now in the condition for allowance.

Applicants concur with the reasons as stated by the Examiner insofar as they comprise a summary, and are exemplary and not limiting. However, the independent claims as allowed include other and different language than that specified by the Examiner, and the allowed dependent claims include other and further features and elements. Accordingly, the scope of the claims must be determined from the literal language of each as a whole, as well as equivalents thereof.

Respectfully submitted,



James R. Duzan
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P.O. Box 2550
Salt Lake City, Utah 84110-2550
Telephone: 801-532-1922

Date: April 12, 2006

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